

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHRISTOPHER BROOKS, *et al.*,

Plaintiffs,

v.

FRANCIS HOWELL SCHOOL
DISTRICT, *et al.*,

Defendants.

Civil Action No. 4:22-cv-169-SRC

STIPULATED CONSENT DECREE
AND PERMANENT INJUNCTION

CONSENT DECREE AND PERMANENT INJUNCTION

As part of the Parties' settlement of this matter, the Parties agreed to request that the Court enter the following order, which the Court finds appropriate and consistent with the Court's prior order issuing a preliminary injunction (ECF No. 47). Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Court enters judgment against Defendant Francis Howell School District (the "District") as follows:
 - a. The Court permanently enjoins the District, its officers, school board members, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of this injunction from enforcing Francis Howell School District Policies 1455 and 1471 to prohibit Plaintiffs' reference to "Francis Howell Families" or the Francis Howell Families website, www.francishowellfamilies.org, while addressing the school board during the patron-comment period at school board meetings.

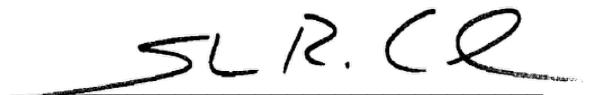
- b. The Court also permanently enjoins the District, its officers, school board members, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of this injunction from enforcing Francis Howell School District Policies 1455 and 1471 to prohibit any other speaker from referencing any other website as an information source during scheduled patron comments, so long as the speaker is speaking on a topic relevant to the school district, school board, or education policy.
 - c. This injunction is binding on the District, its Board of Education, their successors, agents, attorneys, and assigns, and all those in active concert or participation with them.
 - d. This injunction takes effect immediately and remains in effect indefinitely, unless it is modified by order of the Court, the agreement of all parties, there is some other binding change in the law, or if District Policies 1455 and 1471 are repealed and not replaced.
 - e. This injunction does not prevent the District or its Board from amending District Policies 0412, 1455 or 1471 or issuing further implementing regulations, but will remain in effect after any such amendment or issuance.
 - f. The injunction resolves the need for the Court to rule on any pending motions and those are hereby denied as moot.
 - g. The injunction resolves the need for the Court's prior preliminary injunction Order (ECF No. 47) and said Order is hereby vacated as moot and dissolved.
2. The Court dismisses all claims against Defendants Mary Lange, Michael Hoehn, Janet Stiglich, Patrick Lane, Chad Lange, Doug Ziegemeier, Michelle

Walker, and Nathan Hoven, with prejudice, and without any further costs to any party.

3. Following the entry of this Consent Decree and Permanent Injunction, the Court directs the Clerk of Court to administratively close this case.

4. The Court will retain jurisdiction to enforce or modify this Consent Decree and Permanent Injunction.

IT IS SO ORDERED on June 14, 2022.



STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

s/Endel Kolde
Endel Kolde (*pro hac vice*)
INSTITUTE FOR FREE SPEECH
Stacy Hanson, #73738(MO)
1150 Connecticut Ave, N.W., Ste. 801
Washington, DC 20036
202.301.3300
shanson@ifs.org
dkolde@ifs.org
Attorneys for Plaintiffs

s/Drew Marriott
J. Drew Marriott, #63059
Matthew D. Wilson, #59966
EdCounsel, LLC
2833B E. Battlefield St., Ste. 100
Springfield, Missouri 65804
417.755.7190
dmarriott@edcounsel.law
mwilson@edcounsel.law
Attorneys for Defendants